

### **REMARKS**

The Examiner's comments from the Office Action mailed March 27, 2008 have been carefully considered. Claims 1-5, 8, 13-17, 19-23, and 28-31 remain pending in the application. Claims 1, 13, 14, 16, 19, 22, and 28 have been amended. Support for these amendments can be found throughout the specification and figures. No new matter has been added.

Reexamination and allowance of the pending claims are respectfully requested.

### **Priority**

Applicants note the specification was previously amended in the response submitted November 19, 2007 to drop the benefit claim of U.S. Patent Application Ser. No. 09/860,744, filed May 18, 2001.

### **Claim Rejections**

Claims 1-4, 13-17, 19, 21, and 22 have been rejected under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over EP 0 897 700 to Wilson (hereinafter "Wilson"). Applicants respectfully traverse the rejection.

Claim 1 recites, in part, a branch guidewire enclosure, which extends proximally from a side opening of a stent to a branch exit port, that is bonded to a channel, which has a main guidewire lumen extending proximally from a distal end of a catheter to a main exit port, only at the branch exit port.

Wilson does not disclose or suggest a branch guidewire enclosure that is bonded to a channel only at the branch exit port. Rather, the positioning guidewire lumen 55A appears to be bonded to the catheter 50 along the majority of the length of the positioning guidewire lumen 55A. See *Wilson*, FIGS. 11A-11D and 12A-12L and 13A-13D. No reason is provided in Wilson or elsewhere to bond the positioning guidewire lumen 55A only at the side port 53C.

For at least these reasons, Wilson does not anticipate and would not lead a person skilled in the art to the invention of claim 1. Claims 2-5 and 8 depend from claim 1 and are allowable for at least the same reasons. Withdrawal of the rejection and allowance of claims 1-5 and 8 are

respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claim 13 recites, in part, a three-way bond coupling the distal open end of the proximal tube to the proximal open end of the first tube and to the proximal open end of the second tube. The second tube of the distal assembly is bonded to the first distal tube only at the three-way bond.

Wilson does not disclose or suggest a second tube of a distal assembly that is bonded to a first distal tube only at a three-way bond. Rather, the positioning guidewire lumen 55A appears to be bonded to the catheter 50 along the majority of the length of the positioning guidewire lumen 55A. See *Wilson*, FIGS. 11A-11D and 12A-12L and 13A-13D. No reason is provided in Wilson or elsewhere to bond the positioning guidewire lumen 55A only at the proximal end of the positioning guidewire lumen 55A.

For at least these reasons, Wilson does not anticipate and would not lead a person skilled in the art to the invention of claim 13. Claims 14-17, 19, 21, and 22 depend from claim 13 and are allowable for at least the same reasons. Withdrawal of the rejection and allowance of claims 13-17, 19, 21, and 22 are respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claims 5, 8, 17, 20, and 23 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson. Applicants respectfully traverse the rejection.

Claims 5 and 8 depend from claim 1 and are allowable over Wilson for at least the same reasons as discussed above with respect to claim 1. Accordingly, withdrawal of the rejection and allowance of claims 5 and 8 are respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claims 17, 20, and 23 depend from claim 13 and are allowable over Wilson for at least the same reasons as discussed above with respect to claim 13. Accordingly, withdrawal of the rejection and allowance of claims 17, 20, and 23 are respectfully requested. Applicants do not

otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claims 21 and 28-31 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson in view of U.S. Patent No. 6,682,556 to Ischinger (hereinafter "Ischinger").

Applicants respectfully traverse the rejection.

Claim 21 depends from claim 13 and is allowable over Wilson for at least the same reasons as discussed above with respect to claim 13. Ischinger does not overcome the shortcomings of Wilson. Ischinger also does not disclose or suggest a second tube of a distal assembly that is bonded to a first distal tube only at a three-way bond. Rather, in Ischinger, a second guidewire channel 14 merges with a first guidewire channel 16 over a certain distance or its total length. See Ischinger, column 3, lines 22-49 and FIGS. 1A-1F. No reason is provided in Ischinger or elsewhere to bond the second guidewire channel 14 to the first guidewire channel 16 only at a bond that couples the distal open end terminating the proximal tube to the proximal open end terminating the first tube and to the proximal open end terminating the second tube.

For at least these reasons, Wilson would not lead a person skilled in the art to the invention of claim 21, even in view of Ischinger. Withdrawal of the rejection and allowance of claim 21 are respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Claim 28 recites, in part, a bond having a proximal end, which connects to the distal end of the proximal tube, and a distal end, which connects to the proximal open end of the first distal tube and to the proximal open end of the second distal tube. The second distal tube is detached from the first distal tube outside of the bond.

Neither Wilson nor Ischinger disclose or suggest a bond having a proximal end, which connects to the distal end of the proximal tube, and a distal end, which connects to the proximal open end of the first distal tube and to the proximal open end of the second distal tube, wherein the second distal tube is detached from the first distal tube outside of the bond. Furthermore, no reason is provided in either reference to detach the second distal tube from the first distal tube

outside of the bond connecting to the distal open end of the proximal tube and to the proximal open ends of the distal tubes.

For at least these reasons, Wilson would not lead a person skilled in the art to the invention of claim 28, even in view of Ischinger. Claims 29-31 depend from claim 28 and are allowable for at least the same reasons. Withdrawal of the rejection and allowance of claims 28-31 are respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

### **Conclusion**

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

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/Joshua N. Randall/  
Joshua N. Randall  
Reg. No. 50,719  
JNR/JKS:rlk

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